

REMARKS

This Amendment is submitted in response to the Examiner's Action mailed November 16, 2004, with a shortened statutory period of three months set to expire February 16, 2005. Claims 1-57 are pending. With this amendment, claims 1, 2, 20, 21, 39, and 40 have been amended, and claims 5, 24, and 43 have been canceled.

Applicants have amended the claims to describe the general requirement as being a requirement for transportation. The requirement does not define a particular type of transportation device. The requirement for transportation is capable of being performed by a plurality of different types of categories of transportation devices that include cars, motorcycles, and bicycles. A specified utility is received for a plurality of types of items which would satisfy the requirement. These types of items are in different ones of the categories. A plurality of available items are then located that match at least one type of item. These available items are then ranked.

These amendments are proper for entry. The scope of the claims has not changed. No additional search is necessary. Canceled claims 5, 24, and 43 described the categories as including cars, motorcycles, and bicycles. Applicants have narrowed the general requirement to a requirement for transportation which was also claimed originally in now canceled claims 5, 24, and 43.

The Examiner rejected claims 1, 2, 6, 9-12, 16-21, 25, 28-31, 35-40, 44, 47-50, and 54-57 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,397,212 issued to *Biffar*. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

Applicants have amended the claims to include features of original claim 5 in claim 1, features of original claim 24 in claim 20, and features of original claim 43 in claim 39. *Biffar* does not teach a plurality of different categories of items. Therefore, this rejection is believed to be overcome.

Biffar does not describe defining a general requirement that is a requirement for transportation. The Examiner states that *Biffar* defines a general requirement when it describes a "type" which is a sport utility type. A sport utility type of vehicle is not a requirement for transportation. It is a type of transportation device. Applicants describe

the general requirement as not defining a particular type of transportation device.

According to Applicants, the requirement for transportation is capable of being performed by different categories of transportation devices. These different categories of transportation devices include cars, motorcycles, and bicycles. A specified utility is received for a plurality of types of items which would satisfy the requirement. These types of items for which a specified utility is received are in different categories of transportation devices.

Biffar describes specifying a type, such as a sport utility vehicle or non-fiction. *Biffar* then describes locating particular items that are this type. For example, Figure 6A depicts several different sport utility vehicles that have been found. *Biffar* does not describe specifying a utility for a plurality of types of items which are in different categories of transportation devices. Only one category, cars, is searched.

Biffar does not describe a plurality of different categories of transportation devices at all. In *Biffar*, a type such as a sport utility vehicle may be selected. *Biffar* does not teach a plurality of different categories of transportation devices. *Biffar* does not describe the categories as including cars, motorcycles, and bicycles.

Biffar does not teach a specified utility being received for a plurality of types of items which would satisfy the requirement where these types of items for which a specified utility is received are in different categories. Because *Biffar*, nor any of the other references, teaches this features, Applicants believe the claims are patentably distinct over the cited prior art.

The Examiner rejected claims 3, 4, 13, 22, 23, 32, 41, 42, and 51 under 35 U.S.C. § 103(a) as being unpatentable over *Biffar* in view of U.S Patent Application Publication U.S. 2001/0037361 published by *Croy*. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

Claim 3 describes providing the intelligent software agent executing within a client computer system where the client computer system is coupled to a server computer utilizing a computer network in combination with the requirement for transportation being capable of being performed by a plurality of different types of categories that include cars, motorcycles, and bicycles where a specified utility is received for a plurality

of types of items which would satisfy the requirement and where these types of items are in different ones of the categories.

The combination of *Biffar* and *Croy* does not teach the intelligent software agent executing within a client computer system where the client computer system is coupled to a server computer utilizing a computer network in combination with the requirement for transportation being capable of being performed by a plurality of different types of categories that include cars, motorcycles, and bicycles where a specified utility is received for a plurality of types of items which would satisfy the requirement and where these types of items are in different ones of the categories. Therefore, this rejection is believed to be overcome.

The Examiner rejected claims 7, 8, 26, 27, 45, and 46 under 35 U.S.C. § 103(a) as being unpatentable over *Biffar* in view of Official Notice. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

Claim 7 describes the step of comparing further comprising the step of determining a difference between the price for each of the plurality of available items and the utility for one of the plurality of types of items which matches the plurality of available items in combination with the requirement for transportation being capable of being performed by a plurality of different types of categories that include cars, motorcycles, and bicycles where a specified utility is received for a plurality of types of items which would satisfy the requirement and where these types of items are in different ones of the categories.

The combination of *Biffar* and Official Notice does not teach the step of determining a difference between the price for each of the plurality of available items and the utility for one of the plurality of types of items which matches the plurality of available items in combination with the requirement for transportation being capable of being performed by a plurality of different types of categories that include cars, motorcycles, and bicycles where a specified utility is received for a plurality of types of items which would satisfy the requirement and where these types of items are in different ones of the categories. Therefore, this rejection is believed to be overcome.

The Examiner rejected claims 5, 14, 15, 24, 33, 34, 43, 52, and 53 under 35 U.S.C. § 103(a) as being unpatentable over *Biffar* in view of *Croy* and Official Notice. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

Claims 5, 24, and 43 have been canceled.

Claim 14 describes the step of determining a ratio of a price for each of the plurality of available items to the utility for one of the plurality of types of items which matches the plurality of available items in combination with the requirement for transportation being capable of being performed by a plurality of different types of categories that include cars, motorcycles, and bicycles where a specified utility is received for a plurality of types of items which would satisfy the requirement and where these types of items are in different ones of the categories.

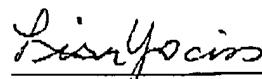
The combination of *Biffar*, *Croy*, and Official notice does not teach the step of determining a ratio of a price for each of the plurality of available items to the utility for one of the plurality of types of items which matches the plurality of available items in combination with the requirement for transportation being capable of being performed by a plurality of different types of categories that include cars, motorcycles, and bicycles where a specified utility is received for a plurality of types of items which would satisfy the requirement and where these types of items are in different ones of the categories. Therefore, this rejection is believed to be overcome.

None of the references teach a specified utility being received for a plurality of types of items which would satisfy the requirement where these types of items for which a specified utility is received are in different categories. Therefore, Applicants believe the claims are patentably distinct over the cited prior art.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 01.14.05

Respectfully submitted,



Lisa L.B. Yociss
Reg. No. 36,975
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants